

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>ALTON D. BROWN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Civil No. 16-cv-1081</b>
	)	
<b>TOM WOLF, et. Al. ,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER ON APPEAL (ECF No. 672)**

Before the Court is Alton D. Brown’s “Appeal of Magistrate Discovery Order Dated 11/17/23 (Doc. No. 664).” ECF No. 672. Mr. Brown argues that the Magistrate Judge’s Order unfairly, unlawfully, and erroneously restricts his ability to obtain discovery in furtherance of his claims. He also refers to the Magistrate Judge’s violation of the Discovery Rules by requiring that Mr. Brown comply with unfair and strict conditions while managing discovery, in violation of the Federal Rules of Civil Procedure. Conversely, he states that the Magistrate judge treats the Defendants better and fails to enforce discovery rules and orders against Defendants. He cites several examples; however, such are outside the confines of the specific Order Mr. Brown has appealed. With respect to the instant Discovery Order, Mr. Brown expresses his disagreement with Judge Eddy’s management of discovery. He argues that a discovery hearing should have been held and requests that this Court order such a hearing. He also requests that this Court insert itself into management of the discovery process.

The Magistrate Judge’s Discovery Order is non-dispositive.<sup>1</sup> Discovery is uniquely a matter committed to the discretion of the judge presiding over the discovery phase. The discretion afforded a District Court or a Magistrate Judge in managing discovery is broad. “Rulings regarding discovery matters are consigned to the court’s discretion and judgment.” *Doe v. Schuylkill Cnty. Courthouse*, 343 F.R.D. 289, 293 (M.D. Pa. 2023). In general, a district “court’s decisions regarding the conduct of discovery will be disturbed only upon a showing of abuse of that discretion.” *Id.* (citing *Marroquin-Manriquez v. I.N.S.*, 699 F.2d 129, 134 (3d Cir. 1983)). “This far-reaching [district court] discretion extends to rulings by United States Magistrate Judges on discovery matters.” *Schuylkill Cnty. Courthouse*, 343 F.R.D. at 293. Upon review of a magistrate judge discovery ruling, “district courts provide magistrate judges with particularly broad discretion in resolving discovery disputes.” *Id.* A “magistrate judge’s discovery ruling ‘is entitled to great deference and is reversible only for abuse of discretion.’” *Id.* (quoting *Kresefky v. Panasonic Commc'ns and Sys. Co.*, 169 F.R.D. 54, 64 (D.N.J. 1996)).

This Court will not overrule a discovery order where there is no evidence that the Magistrate Judge has committed error or abused her discretion. In light of the broad discretion granted to Magistrate Judges in the management of a case and, specifically, in managing discovery matters, the Court finds that Magistrate Judge Eddy’s discovery Order, ECF No. 664, is not an abuse of discretion and is not clearly erroneous.

---

<sup>1</sup> The Federal Magistrates Act provides that a “clearly erroneous or contrary to law” standard applies to a magistrate judge’s resolution of nondispositive matters, 28 U.S.C. § 636(b)(1)(A), accord Fed. R. Civ. P. 72(a) (referring to “a pretrial matter not dispositive of a party’s claim or defense”). Nondispositive orders will not be disturbed unless such is found to be clearly erroneous or contrary to law. A finding is clearly erroneous “when although there is evidence to support it, the reviewing court on the entire evidence is left with the definite and firm conviction that a mistake has been committed.” *Anderson v. City of Bessemer*, 470 U.S. 564, 573 (1985). “Where a magistrate judge is authorized to exercise his or her discretion, the decision will be reversed only for an abuse of that discretion.” *Cooper Hosp./Univ. Med. Ctr. v. Sullivan*, 183 F.R.D. 119, 127 (D.N.J. 1998).

AND NOW, this 20th day of February 2024, it is hereby ORDERED that, Mr. Brown's  
"Appeal of Magistrate Discovery Order Dated 11/17/23 (Doc. No. 664)" (ECF No. 672) is  
DENIED.

s/Marilyn J. Horan  
Marilyn J. Horan  
United States District Judge

Alton D. Brown, pro se  
DL-4686  
SCI Fayette  
48 Overlook Drive  
LaBelle, PA 15450-1050